United Nations A/AC.109/2018/16

General Assembly

Distr.: General
20 February 2018

Original: English

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

United States Virgin Islands

Working paper prepared by the Secretariat

Contents

		Page
	The Territory at a glance	3
I.	Constitutional, political and legal issues	4
II.	Budget	5
III.	Economic conditions	6
	A. General	6
	B. Tourism	7
	C. Manufacturing and construction	7
	D. Trade, transportation and utilities	8
	E. Agriculture and fisheries	9
IV.	Social conditions	9
	A. Labour	9
	B. Education	10
	C. Public health	10
	D. Crime and crime prevention	11

Note: The information contained in the present working paper has been derived from public sources, including those of the territorial Government, and from information transmitted to the Secretary-General by the administering Power under Article 73 *e* of the Charter of the United Nations. Information was transmitted by the administering Power on 8 December 2017. Further details are contained in previous working papers, available from www.un.org/en/decolonization/workingpapers.shtml.

18-02649 (E) 150318

Please recycle

V. Environmental protection and disaster preparedness 11
VI. Relations with international organizations and partners 12
VII. Future status of the Territory 12
A. Position of the territorial Government 12
B. Position of the administering Power 12
VIII. Action taken by the General Assembly 13
Annex
Map of the United States Virgin Islands 16

The Territory at a glance

Territory: The United States Virgin Islands is a Non-Self-Governing Territory under the Charter of the United Nations. As an unincorporated, organized territory of the United States of America, it is administered by the Office of Insular Affairs of the United States Department of the Interior.

Geography: The Territory is located in the eastern part of the Caribbean Sea, 1,075 miles south-east of the south-eastern tip of the United States and 60 miles east of Puerto Rico. It is made up of four main islands: Saint Croix, Saint John, Saint Thomas and Water Island. The capital, Charlotte Amalie, is located on Saint Thomas.

Land area: 352 km^2

Exclusive economic zone: 33,744 km^2

Population: 103,190 (2016 estimate)

Life expectancy at birth: 79.8 years (women: 83.0 years, men: 76.7 years (2014 estimate))

Languages: English or English Creole (74.70 per cent); Spanish or Spanish Creole (16.78 per cent); French or French Creole (6.57 per cent); and other (1.95 per cent)

Capital: Charlotte Amalie

Head of territorial Government: Governor Kenneth E. Mapp

Territory's delegate to the United States Congress: Stacey Plaskett, elected on 8 November 2016 and sworn into office on 3 January 2017

Main political parties: Democratic Party; Independent Citizens' Movement; Republican Party

Elections: The most recent gubernatorial elections were held in November 2014. The elections for legislators and delegate to Congress were held in November 2016.

Legislature: Unicameral (15 senators)

Gross domestic product (GDP) per capita: $29,838 (2016, chained (2009) dollars)

Economy: Tourism is the primary economic activity, accounting for 80 per cent of GDP and employment. The manufacturing sector consists of petroleum refining, rum distilling, textiles, electronics, pharmaceuticals and watch assembly.

Monetary unit: United States dollar

Unemployment rate: 11.2 per cent (March 2017 estimate)

Brief history: The islands belonged to Denmark from 1754 to 1917 (Danish West Indies). On 31 March 1917, the Government of Denmark transferred ownership to the United States. The United States Virgin Islands has since been an organized, unincorporated territory of the United States.

I. Constitutional, political and legal issues

1. The United States Virgin Islands is an organized, unincorporated territory of the United States of America. Under the Organic Act of the Virgin Islands (1936), its revision in 1954 and subsequent amendments to the Revised Organic Act of 1954, the Territory has a legislature, also known as the Senate, which is a unicameral body comprising 15 senators elected to a two-year term by popular vote. Executive power is vested in the Governor, who, since 1970, has been elected by popular vote to a four-year term on the same ticket as the Lieutenant Governor. The Governor is limited to two consecutive terms. With the advice and consent of the Legislature, the Governor appoints the heads of the executive departments and has the power to approve or veto legislation and issue executive orders.

2. In the gubernatorial elections of November 2014, Kenneth Mapp, an independent, was elected Governor and Osbert Potter was elected Lieutenant Governor. The terms of office of the Governor and the Lieutenant Governor will expire in November 2018, when the next gubernatorial elections are to be held. The Territory also elects a delegate to the United States House of Representatives, who is able to vote in committees. The Democratic Party candidate, Stacey Plaskett, won the election held on 8 November 2016 and was elected to her second term as delegate. The Territory's senatorial elections were also held on 8 November 2016. On 8 April 2017, a special election was held in the Saint Thomas-Saint John district to fill a vacancy in the thirty-second Legislature. The senators and the delegate to Congress can serve unlimited two-year terms.

3. The Territory's judicial system has a district court, a superior court and a supreme court, of which the last-mentioned became operational in January 2007. The Supreme Court is the appellate court that hears appeals decided by the Superior Court. Its establishment eliminated federal judicial involvement in purely local legal matters. In December 2012, the President of the United States signed House of Representatives Bill No. 6116 authorizing direct review by the United States Supreme Court of decisions made by the Supreme Court of the United States Virgin Islands. The legislation was sponsored by the Territory's congressional delegate.

4. Since the revision to the Organic Act of the Virgin Islands by the Government of the United States in 1954, there have been four attempts to replace it with a local constitution approved by the people of the Territory that would organize the internal mechanisms of the government. Although the United States Congress authorized the adoption of a local constitution in 1976 under United States Public Law 94-584, none of the four attempts made were successful.

5. As previously reported, on 26 May 2009, the Fifth Constitutional Convention adopted a proposed constitution of the United States Virgin Islands by a two-thirds vote. It was submitted to the Governor on 31 May 2009. With a preamble and 19 articles, the 27-page text included provisions on a bill of rights; principles, branches and subdivisions of government; Virgin Islanders; elections; education; youth; taxation, finance and commerce; economic development; public health, safety and welfare; culture; environmental protection; referendums and recalls; and the creation of a political status advisory commission. Further details can be found in previous working papers.

6. On 26 February 2010, the President of the United States submitted the proposed constitution to Congress, endorsing the conclusions reached by the United States Department of Justice that several features of the proposed text warranted analysis

and comment, including: (a) the absence of express recognition of United States sovereignty and the supremacy of federal law; (b) provisions for a special election on the territorial status of the United States Virgin Islands; (c) provisions conferring legal advantages on certain groups defined by place and timing of birth, timing of residency or ancestry; (d) residence requirements for certain offices; (e) provisions guaranteeing legislative representation of certain geographic areas; (f) provisions addressing territorial waters and marine resources; (g) imprecise language in certain provisions of the proposed constitution's bill of rights; (h) the possible need to repeal certain federal laws if the proposed constitution were adopted; and (i) the effect of congressional action or inaction on the proposed constitution.

7. On 11 September 2012, the Governor signed Act No. 7386 establishing and convening a body called the Fifth Revision Convention, formed by the 30 delegates elected to the Fifth Constitutional Convention and five attorneys. The Fifth Revision Convention was convened on 1 October and mandated to ratify and approve, no later than 31 October and by a two-thirds majority vote of all the delegates, the final revised draft constitution consistent with the nine issues identified by the Government of the United States (see para. 6). The Act established that, if the Fifth Revision Convention agreed upon a proposed revised draft constitution by the deadline, the President of that body should have it submitted to the Governor and to the President of the United States. In case of the non-adoption of the text, both the Fifth Constitutional Convention and the Fifth Revision Convention would be dissolved and the Legislature of the United States Virgin Islands would have full authority to address the Territory's constitution. As reported in previous working papers, however, the outcome of the Fifth Revision Convention was surrounded by controversy and has continued to remain unclear. In January 2013, in his State of the Territory address, the Governor expressed the hope that the Territory would find "the means and courage that will lead us from the Organic Act to a Virgin Islands constitution".

8. According to the administering Power, in March 2016 the Office of Insular Affairs of the Department of the Interior awarded the University of the Virgin Islands $250,000 to establish the Office of Self-Determination and Constitutional Development. The Office works with other stakeholders across the territory to address the issue of self-determination. Major duties and responsibilities include political status and constitutional education, research and development and universal public education.

II. Budget

9. In his testimony to the Committee of the Whole of the thirty-second Legislature of the United States Virgin Islands on 13 October 2017, the Director of the United States Virgin Islands Office of Management and Budget discussed the impacts of Hurricane Irma and Hurricane Maria on the infrastructure and economy of the Territory. He said that the two "monster storms" had inflicted extraordinary physical, economic, mental and psychological stress and damage on the Territory and its people. Significant damage to the infrastructure and the economy would have a negative impact on the fiscal condition of the Territory.

10. In his testimony, the Director explained that since the Legislature was not able to act on the proposed executive budget for fiscal year 2018 as a result of the hurricanes, the United States Virgin Islands Code provided that the appropriation levels of the prior fiscal year applied. The Director stated that, therefore, until the Legislature decided otherwise, the appropriations for fiscal year 2017, so far as

applicable, were deemed reappropriated for fiscal year 2018, effective 1 October 2017. Accordingly, the total General Fund expenditure budget for fiscal year 2018, including debt service and tax refund, was $914.8 million, whereas the General Fund revenues and resources estimate, which had been approved by the Revenue Estimating Conference and was reflected in the recommended fiscal year 2018 budget, totalled $833.9 million. He further indicated that the $80.9 million gap would be widened significantly by the expected revenue loss and additional unreimbursed expenditures resulting from the hurricanes. Based on preliminary and admittedly "soft" estimates, the fiscal year budget gap could widen to as much as $325 million and the disaster-induced budget gaps would continue into fiscal years 2019 and 2020.

11. In addition, the Director explained that hurricanes had dual fiscal impacts — both of which were negative — on the territorial Government, causing significant tax and other revenue loss, on the one hand, while requiring additional expenditure for disaster response and recovery, on the other. Those negative impacts were accentuated by the fact that the fiscal condition of the Territory before the hurricanes had already been tenuous, in particular its liquidity position, which had been weakened by lower-than-expected tax revenue collection and the loss of access to capital market working capital financing in fiscal year 2017.

12. In January 2018, in his State of the Territory address, the Governor announced that the federal Government of the United States had approved an appropriation providing the Territory with a minimum of $900 million in liquidity support over three fiscal years. Those funds were being provided to support and bridge the budget gap between revenues and expenditures for revenues lost owing to the hurricanes. He added that his Government had requested a total of $7.5 billion from the federal Government to fund home repairs, schools, hospitals, government facilities, the energy grid, roads, docks, ports and telecommunications infrastructure.

13. According to the report entitled "United States territories public debt outlook", issued in October 2017, the United States Government Accountability Office found that between fiscal years 2005 and 2015, the public debt of the United States Virgin Islands had nearly doubled, reaching $2.6 billion and a debt to gross domestic product (GDP) ratio of 72 per cent. Since 2010, most of the debt of the Territory had been used to fund general government operations. Revenue had remained stagnant and net position had been negative and declining during the period, reflecting a deteriorating financial position.

III. Economic conditions

A. General

14. The Governor of the United States Virgin Islands, in his testimony on 14 November 2017 to the United States Senate Committee on Energy and Natural Resources, provided a graphic overview of the devastating impact of Hurricane Irma and Hurricane Maria on the United States Virgin Islands. He stated that the storms' 185 mph winds had ripped leaves from the trees, pulled up century-old trees by their roots and turned green hillsides almost black. Power lines were strewn across roads; utility poles had been snapped in half like matchsticks; 400 boats were sunk in the harbours; and nine schools, the two main hospitals and related health-care facilities, fire stations and police stations were so badly damaged that they had to be condemned. The airports and many government offices were also unusable, which had had a drastic impact on the delivery of vital government services.

15. In his testimony, the Governor explained that more than 15,000 homes had been damaged or destroyed and that virtually all of the power distribution infrastructure had been wiped out. The damage to the economy was of such magnitude that it had created unsustainable cash shortfalls that would continue into the future. Estimates indicated that the economic losses to key industries, including tourism, would amount to more than $1.7 billion over the next three years. Damage to commercial facilities amounted to nearly $900 million.

16. The Governor testified that the recovery of the United States Virgin Islands from the hurricanes would take time and would require significant analysis in order to arrive at a full understanding of the damage caused. The Government of the Territory estimated that uninsured hurricane-related damage amounted to more than $7.5 billion.

17. In January 2018, in his State of the Territory address, the Governor said that, according to the Federal Emergency Management Agency, the Government of the United States had expended, as at 18 January 2018, some $516 million in response to the disasters affecting the Territory (excluding community disaster loans). The recipients of the approved loans included: the central Government ($250 million), the Water and Power Authority ($75 million), the Schneider Regional Medical Centre ($24 million) and the Governor Juan F. Luis Hospital and Medical Centre ($22 million).

18. On 1 December 2017, the Bureau of Economic Analysis released GDP estimates of for 2016, in addition to estimates by industry and compensation by industry for 2015. The estimates indicated that real GDP had increased by 0.9 per cent in 2016, after having increased by 0.3 per cent in 2015.

B. Tourism

19. In his testimony to the Committee of the Whole of the thirty-second Legislature of the United States Virgin Islands on 13 October 2017, a senior policy analyst from the United States Virgin Islands Bureau of Economic Research explained that Hurricane Irma and Hurricane Maria had caused significant damage to hotels, guest houses and other lodging facilities and that several accommodation establishments would not be available for the upcoming season. Therefore, there should be an expected decline in guest registrations. Cruise ship arrivals at the Territory had been relaunched to test the readiness of the destination to provide quality experiences to visitors.

20. Air arrivals at the Saint Thomas-Saint John district rose by 2.1 per cent in fiscal year 2016. Air arrivals at the Saint Croix district also experienced growth of 5.6 per cent. There were 1,792,919 cruise ship passenger arrivals in the Saint Thomas and Saint John district, about the same number as in fiscal year 2015. The number of cruise passengers travelling to Saint Croix fell to 131,385 from 134,502, a loss of 2.3 per cent.

C. Manufacturing and construction

21. According to the administering Power and the United States Virgin Islands Bureau of Economic Research, a considerable increase in the construction industry is expected as a result of the vast residential, commercial and public reconstruction needs caused by Hurricane Irma and Hurricane Maria. The territorial Government has

estimated that $7 billion is needed for the reconstruction and resilience-hardening of public infrastructure and facilities. Employment in the manufacturing sector held steady in 2016, averaging 619 jobs, or a 3.7 per cent fiscal year-on-year increase. Businesses in this sector include manufacturers, concrete firms, distilleries and small firms producing goods. These businesses have an average workforce of 20 employees.

22. According to the administering Power, on 31 December 2015 the Governor signed into law the ratification by the thirty-first Legislature of the operating agreement between the Government of the United States Virgin Islands and Limetree Bay Terminals, a subsidiary of ArcLight Capital Partners, for the sale of the former Hovensa facility on Saint Croix. Limetree Bay Terminals hosted the grand opening of its oil storage terminal on 12 September 2016. In January 2018, in his State of the Territory address, the Governor said that the storage terminal facility was employing more than 650 people and that the territorial Government had received over $250 million in direct payments and had taken ownership of 120 homes, a technical school and more than 330 acres of land that used to be a part of the facility.

23. According to the Bureau of Economic Research, the rum industry consists of two companies. Both distilleries have a combined capacity to produce 29 million proof gallons of rum per year. Rum produced in the Territory is exported to the United States primarily in bulk and sold to local and regional bottlers for sale under a variety of brands. Shipments for fiscal year 2016 totalled 17.5 million proof gallons, representing a 33.5 per cent increase compared with 2015. The federal Government imposes and collects federal excise taxes on rum produced in the United States Virgin Islands and exported to the United States. The current assessed excise tax rate is $13.50 per proof gallon, and the cover-over rate (the rate at which excise taxes are transferred back to the United States Virgin Islands) is $13.25.

D. Trade, transportation and utilities

24. The United States Virgin Islands has some 1,250 km of roadways. The Territory also enjoys one of the most natural deep-water harbours in the Caribbean and is strategically located along the Anegada Passage, a key route for ships bound for the Panama Canal. The Territory has five major docking facilities, which can accommodate cruise ships and some naval vessels. Three of the docks are on Saint Croix: South Shore, Gallows Bay and Frederiksted. The other two are on Saint Thomas: the facilities operated in Crown Bay by the Virgin Islands Port Authority, a semi-autonomous government agency, and the Islands-owned West Indian Company.

25. On 2 November 2017, the Chief Executive Officer of the United States Virgin Islands Water and Power Authority testified before the Subcommittee on Energy of the Committee on Energy and Commerce of the United States House of Representatives. He stated that the utility's power-generating plants in Estate Richmond on Saint Croix and Krum Bay on Saint Thomas had suffered minimal impact from the hurricanes. The electrical transmission and distribution systems, however, had been severely damaged. Damage to the systems had been estimated at 80 per cent on Saint Thomas and at more than 90 per cent on Saint John, with Water Island and Hassel Island each suffering approximately 90 per cent destruction. He explained that, following the passage of Hurricane Irma, the Water and Power Authority, utilizing its own line department personnel as well as on-island contractors, had engaged in a Territory-wide reconstruction and restoration effort. According to a press release issued by the Authority, as at 15 January 2018 more than 46,000 customers had been reconnected to the electrical grid, representing approximately

95 per cent of the customers eligible for reconnection. The Chief Executive Officer also testified that, in addition to hardening the distribution system, the Water and Power Authority must address the electrical grid, which was also susceptible to damage from windstorms. He said that the plan proposed by the Authority was for the construction of a series of microgrids on each island. Each microgrid would be a localized grouping of electricity sources that would operate in tandem with the Authority's generating facilities. Each could be disconnected and function autonomously as physical and/or economic conditions dictated.

26. In April 2016, the Water and Power Authority began to commission propane fuel for the Saint Croix Estate Richmond facility. According to the United States Virgin Islands Bureau of Economic Research, after a three-year delay, the facility is now completely utilizing propane fuel. In November 2016, the commissioning process began at the Randolph Harley power plant in Saint Thomas, and it is now operating on 65 per cent propane usage. The units have been permitted to use three types of fuel for the generation of electricity: oil, propane and natural gas. The Authority has embarked on a five-year plan to remove older generators and replace them with smaller, fuel-efficient ones. It is anticipated that new, more reliable generators would improve power efficiency and result in continued reductions in utility costs for ratepayers.

E. Agriculture and fisheries

27. According to the administering Power, the terrestrial and marine natural resources of the Territory suffered significant damage as a result of Hurricane Irma and Hurricane Maria. Natural resource specialists from various federal agencies were deployed to the United States Virgin Islands to assess the damage and to work with the Territory on the implementation of various programmes to restore the natural habitat and make it more resilient.

IV. Social conditions

A. Labour

28. According to the United States Virgin Islands Bureau of Economic Research, employment conditions during fiscal year 2016 appeared to be stabilizing, but the job market remained weak. The territorial jobless rate was 11.2 per cent in 2016. According to the United States Virgin Islands Department of Labor, in July 2017 there were a total of 38,641 non-farm jobs in the United States Virgin Islands (not seasonally adjusted — all workers), representing an increase of 498 jobs compared with the prior year.

29. In his testimony to the Committee of the Whole of the thirty-second Legislature of the Virgin Islands on 13 October 2017, a senior policy analyst from the Virgin Islands Bureau of Economic Research explained that the Bureau anticipated a sizeable shift in various job sectors. He said that job losses were expected to occur in the hospitality and leisure sectors. As the Territory begins to rebuild its roads, commercial and residential buildings, jobs in the construction sector are expected to increase and become a major contributor to non-agriculture employment.

B. Education

30. In his testimony before the United States Senate Committee on Energy and Natural Resources, the Governor of the Territory said that nine public schools had been destroyed and condemned as a result of the impacts of Hurricane Irma and Hurricane Maria. He explained that school gymnasiums and the Curriculum Centre in Saint Thomas had also been destroyed. All aspects of the public school system of the Territory had been affected, including through the loss of school buses and the decimation of the agricultural programme, the aquaponics labs, the poultry farm and 19 school gardens. In addition, children were left without musical instruments, athletic equipment and home libraries, which were actively being promoted through literacy initiatives. The schools had lost a significant number of computers, smart boards and other technology-centred materials; their recovery would require the rebuilding of the information technology infrastructure in order to facilitate connectivity and reliability.

31. The Governor added that the United States Virgin Islands had managed to open a sufficient number of schools for the continued teaching of its children, but that most students were learning under difficult conditions or had to endure long commutes. He said that, given its small school population, the Territory planned to consolidate and build six new resilient schools: one on Saint John, two on Saint Thomas and three on Saint Croix. This would provide an opportunity for the inclusion of preschool centres and the expansion of vocational training programmes in order to drive workforce development and thereby diversify the economy.

C. Public health

32. The Territory's Department of Health maintains facilities on Saint Thomas, Saint John and Saint Croix. It also maintains a long-term-care facility on Saint Thomas. Outreach efforts include educational, preventive and treatment services using clinics and subdivisions for maternal and child health, family planning, environmental health, sexually transmitted infections, HIV and tuberculosis, mental health and substance abuse. The Department administers 33 activity centres and 16 federal programmes under the auspices of the Office of the Commissioner and the divisions dealing with fiscal affairs, support services, public health services and health promotion and statistics.

33. In his testimony before the United States Senate Committee on Energy and Natural Resources, the Governor of the Territory stated that Hurricane Irma and Hurricane Maria had devastated the critical health-care infrastructure of the United States Virgin Islands; the two main hospitals and affiliated health-care facilities had been destroyed. He explained that critical care was unavailable in the Territory. Patients requiring critical care and persons requiring dialysis must be flown to the United States mainland for medical treatment. He stated that the recovery funds that the territorial Government was seeking from the United States Congress would help rebuild the two main hospitals, on Saint Thomas and Saint Croix, and the health-care facility on Saint John.

34. On 12 October 2017, the Chief Executive Officers of the Schneider Regional Medical Centre and Governor Juan F. Luis Hospital and Medical Centre testified before the Committee of the Whole of the thirty-second Legislature of the United States Virgin Islands. Both reported on the significant damage caused to the infrastructure of both hospitals. While the hospitals were unable to provide a wide

range of services, both were providing emergency services with the assistance of personnel from the United States Departments of Health and Human Services, Homeland Security and Defense.

35. According to the Zika epidemiological report of the Pan American Health Organization (PAHO) on the United States Virgin Islands dated 25 September 2017, as of epidemiological week 34 of 2017 (August 2017), all three main islands of the Territory had reported suspected and confirmed Zika virus cases. Saint Thomas reported the highest number of cases (1,274 suspected cases, including 683 confirmed), followed by Saint Croix (763 suspected, including 252 confirmed) and Saint John (149 suspected, including 89 confirmed). In addition, a total of 2,230 pregnant women had been tested for the Zika virus in the Territory, 286 of whom were laboratory-confirmed for infection with the virus. In January 2016, PAHO was notified by the United States International Health Regulations National Focal Point of the first confirmed case of autochthonous vector-borne transmission of the virus from Saint Croix.

D. Crime and crime prevention

36. In his testimony before the United States Senate Committee on Energy and Natural Resources, the Governor noted that Hurricane Irma and Hurricane Maria had caused the loss of two fire stations, a police station and the Saint Croix Emergency Operation Centre. In his State of the Territory address, in January 2018, the Governor noted the actions that had been undertaken to curtail violent crimes by developing and strengthening the police force. In his view, the Territory continued to be challenged by homicides, many of them gang-related. He also announced that the New York Police Department would continue to provide training to senior officers and detectives from the Territory.

V. Environmental protection and disaster preparedness

37. In his testimony before the Committee of the Whole of the thirty-second Legislature of the Virgin Islands, on 13 October 2017, the Director of the United States Virgin Islands Office of Management and Budget commented on the federal support that would be forthcoming as a result of Hurricane Maria and Hurricane Irma. He said that the size and intensity of the storms had warranted two separate major disaster declarations by the President of the United States, DR-4335-USVI and DR-4340-USVI, for Hurricane Irma and Hurricane Maria, respectively. The declarations had allowed for access to millions of dollars in federal disaster assistance loans and grants to individuals, businesses and the territorial Government. He explained that the Federal Emergency Management Agency grant programmes to local governments would offset most (but not all) of the additional expenditures related to disaster preparedness, response and recovery, while the community disaster loan programme would provide assistance to overcome disaster-related revenue loss.

38. In his testimony to the United States Senate Committee on Energy and Natural Resources, the Governor of the Territory expressed his gratitude and appreciation for the response of the Government of the United States following the passage of Hurricane Irma and Hurricane Maria.

39. In his State of the Territory address in January 2018, the Governor announced that the Federal Emergency Management Agency had approved an initial budget of

$600 million to fund the Sheltering and Temporary Essential Power Programme to provide roofs for approximately 12,000 homes throughout the Territory. This single programme was expected to generate, at a minimum, 2,500 jobs. He also stated that in October 2017, a hurricane recovery and resilience advisory group had been established.

VI. Relations with international organizations and partners

40. The United States Virgin Islands is an associate member of the Economic Commission for Latin America and the Caribbean. The Territory has observer status with the Association of Caribbean States and with the Alliance of Small Island States, which serves as a platform to promote action on environmental issues, including climate change. According to information provided by the administering Power, the United States Virgin Islands received acceptance as a territorial Government with observer status at the Organisation of Eastern Caribbean States in 2009.

41. The British Virgin Islands and United States Virgin Islands are making progress in strengthening their ties in areas of mutual interest, following the seventh meeting of the Inter Virgin Islands Council, held in Saint Thomas on 2 September 2016. The Premier and Minister of Finance of the British Virgin Islands, and the Governor of the United States Virgin Islands led their respective delegations of Government officials to report to the Council and to further discuss areas of shared interest. During the meeting, reports were received from the standing committees on law enforcement, pleasure boating and sports fishing, cultural preservation, tourism, energy and utilities, health, mutual disaster preparedness and assistance, and education. Also discussed was the update on the progress made regarding cooperation for British Virgin Islands musician work permits.

VII. Future status of the Territory

A. Position of the territorial Government

42. Developments regarding discussions on the future status of the United States Virgin Islands are reflected in section I.

B. Position of the administering Power

43. In a letter dated 2 November 2006 addressed to the delegate of American Samoa to the United States House of Representatives, the Assistant Secretary of State for Legislative Affairs elaborated on the position of the Government of the United States. In his letter, he indicated that the status of the insular areas regarding their political relations with the federal Government was an internal United States issue and not one that came under the purview of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. He also noted that the Special Committee had no authority to alter in any way the relationship between the United States and those territories and no mandate to engage the United States in negotiations on their status. He further noted that, at the same time, in accordance with its obligations under the Charter of the United Nations to provide regularly to the United Nations statistical and other information of a technical nature relating to economic, social and educational

conditions in the Non-Self-Governing Territories, the federal Government submitted annual updates on United States territories to the Special Committee as a demonstration of the cooperation of the United States as an administering Power and as a corrective to any errors in information that the Special Committee might have received from other sources.

44. According to the administering Power, on 23 February 2016 the then Assistant Secretary for Insular Areas of the United States Department of the Interior hosted a panel discussion in Washington, D.C., on self-determination in American Samoa, Guam and the United States Virgin Islands. The panel included territorial experts and officials from the United States Department of the Interior and Department of State and provided an updated context for federal policymakers and for a new generation to learn about the status of self-determination in the respective territories and to understand their rights with regard to self-determination under federal and international law. The panel experts reaffirmed the position of the administering Power that, under the United States Constitution, only the United States Congress had the plenary power to dispose of and make needful rules and regulations respecting the territories. It was also reiterated that the administering Power supported the right of self-determination of the respective peoples of American Samoa, Guam, and the United States Virgin Islands, and it was the policy of the administering Power that the territories had at least three distinct options for exercising self-determination: continued territorial status, statehood or independence. Furthermore, in conjunction with the winter meeting of the National Governors Association, held in Washington, D.C., each February in either the Main Interior Building or the Old Executive Office Building, the Deputy Assistant to the President for Intergovernmental Affairs and the Assistant Secretary of the Interior for Insular Areas host the plenary session of the Interagency Group on Insular Areas, which brings together the Governor of the United States Virgin Islands and his counterparts from American Samoa and Guam to discuss with leading officials of the federal executive branch matters of mutual importance to the Territories.

VIII. Action taken by the General Assembly

45. On 7 December 2017, the General Assembly adopted its resolution 72/109 without a vote, on the basis of the report of the Special Committee for 2017 (A/72/23) and the subsequent recommendation by the Fourth Committee. In the resolution, the Assembly:

(a) Reaffirmed the inalienable right of the people of the United States Virgin Islands to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

(b) Also reaffirmed that, in the process of decolonization of the United States Virgin Islands, there was no alternative to the principle of self-determination, which was also a fundamental human right, as recognized under the relevant human rights conventions;

(c) Further reaffirmed that it was ultimately for the people of the United States Virgin Islands to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection called upon the administering Power, in cooperation with the territorial Government and appropriate bodies of the United

Nations system, to develop political education programmes for the Territory in order to foster an awareness among the people of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in Assembly resolution 1541 (XV) and other relevant resolutions and decisions;

(d) Welcomed the proposal of a draft constitution emanating from the Territory in 2009, as a result of the work of the United States Virgin Islands Fifth Constitutional Convention, for review by the administering Power, and requested the administering Power to assist the territorial Government in achieving its political, economic and social goals, in particular the successful conclusion of the internal Constitutional Convention exercise;

(e) Requested the administering Power to facilitate the process for approval of the proposed constitution and its implementation, once agreed upon in the Territory, and to regularly provide the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples with relevant updates in this regard;

(f) Also requested the administering Power to assist the Territory by facilitating its work concerning a public education programme, consistent with Article 73 *b* of the Charter, and in that regard called upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

(g) Welcomed the establishment of the Office of Self-Determination and Constitutional Development in the University of the Virgin Islands, with the funding from the administering Power, to address the issue of self-determination, including political status and constitutional education;

(h) Expressed its concern regarding the closure of the Hovensa plant, which had had a negative economic impact on the Territory;

(i) Reiterated its call for the inclusion of the Territory in regional programmes of the United Nations Development Programme, consistent with the participation of other Non-Self-Governing Territories;

(j) Welcomed the active participation of the Territory in the work of the Economic Commission for Latin America and the Caribbean;

(k) Encouraged the Territory to continue to participate in the activities of the Special Committee, including regional seminars;

(l) Stressed the importance of the Special Committee being apprised of the views and wishes of the people of the United States Virgin Islands and enhancing its understanding of their conditions, including the nature and scope of the existing political and constitutional arrangements between the United States Virgin Islands and the administering Power;

(m) Called upon the administering Power to participate in and cooperate fully with the work of the Special Committee in order to implement the provisions of Article 73 *e* of the Charter and the Declaration and in order to advise the Committee on the implementation of the provisions under Article 73 *b* of the Charter on efforts to promote self-government in the United States Virgin Islands, and encouraged the administering Power to facilitate visiting and special missions to the Territory;

(n) Reaffirmed the responsibility of the administering Power under the Charter to promote the economic and social development and to preserve the cultural identity of the Territory, and requested the administering Power to take steps to enlist

and make effective use of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economy of the Territory;

(o) Took into account the 2030 Agenda for Sustainable Development,[1] including the Sustainable Development Goals, stressed the importance of fostering the economic and social sustainable development of the Territory by promoting sustained, inclusive and equitable economic growth, creating greater opportunities for all, reducing inequalities, raising basic standards of living, fostering equitable social development and inclusion and promoting the integrated and sustainable management of natural resources and ecosystems that supports, inter alia, economic, social and human development, while facilitating ecosystem conservation, regeneration, restoration and resilience in the face of new and emerging challenges, and strongly urged the administering Power to refrain from undertaking any kind of illicit, harmful and unproductive activities, including the use of the Territory as a tax haven, that were not aligned with the interest of the people of the Territory;

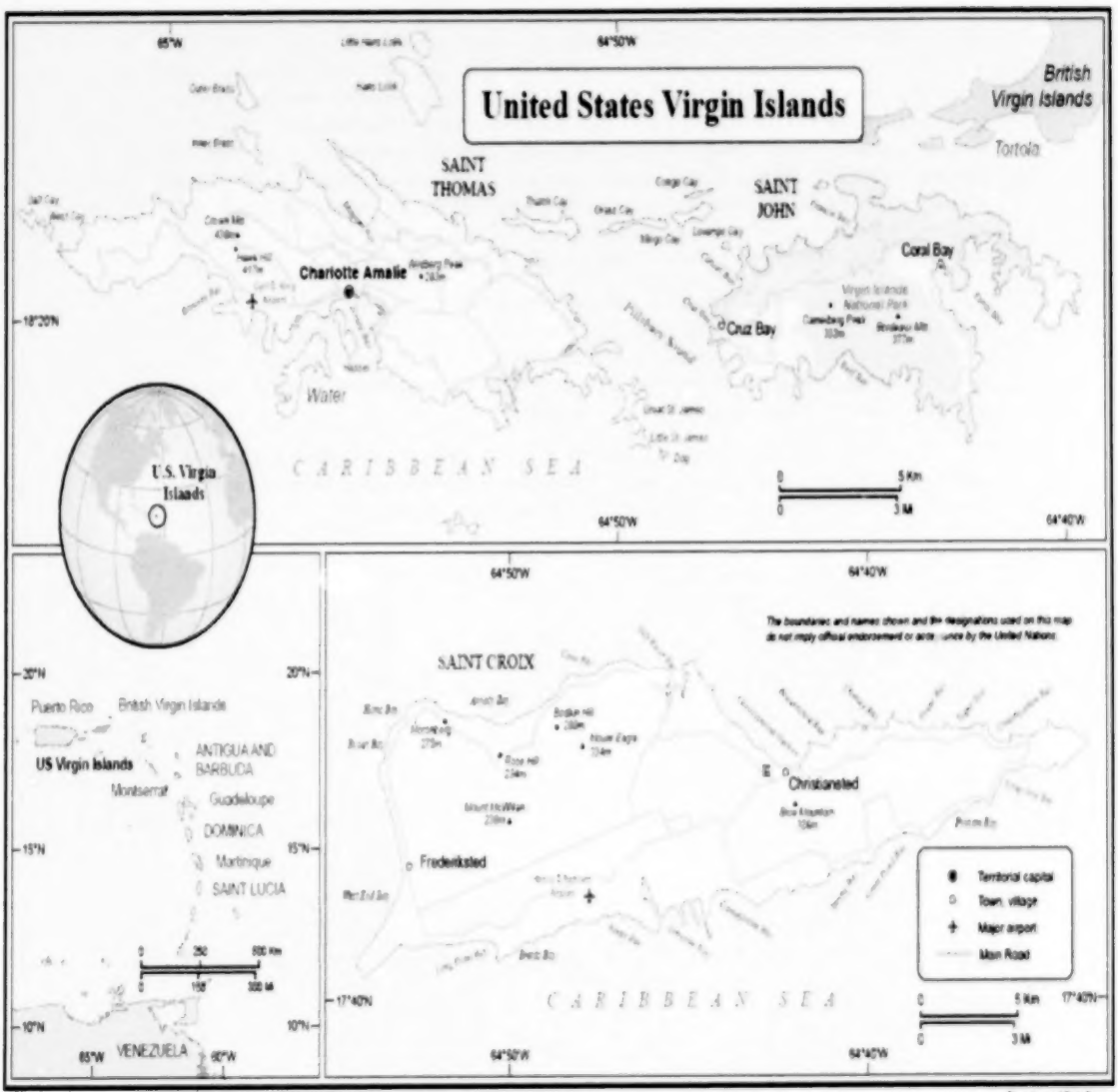
(p) Requested the Territory and the administering Power to take all measures necessary to protect and conserve the environment of the Territory against any degradation, and once again requested the specialized agencies concerned to monitor environmental conditions in the Territory and to provide assistance to the Territory, consistent with their prevailing rules of procedure;

(q) Requested the Special Committee to continue to examine the question of the United States Virgin Islands and to report thereon to the General Assembly at its seventy-third session and on the implementation of the resolution.

[1] Resolution 70/1.

Annex

Map of the United States Virgin Islands



Map No. 2946 Rev. 2 UNITED NATIONS
June 2017

Department of Field Support
Geospatial Information Section (formerly Cartographic Section)